

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6163 of 2017

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Hanuman Rajak, S/o Late Jhameli Rajak, resident of Village- Mahaur Mahpur, P.S.- Bochahan, District- Muzaffarpur, retired Assistant Teacher from Rajkiyakrit Madhya Vidyalaya, Kafan, Bochahan, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
4. The District Education Officer, Muzaffarpur.
5. The District Programme Officer Establishment, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh
For the Respondent/s : Mr.Jitendra Kr. Roy No. 1- Sc13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 02-07-2019 Heard learned counsel for the petitioner and the respondents.

The petitioner is aggrieved by non-consideration of his case for grant of 2nd A.C.P.

On behalf of the respondents, a stand has been taken in the counter affidavit that the petitioner cannot be granted A.C.P. as well as Graduate Trained Scale.

Learned counsel for the petitioner in the facts and circumstances of the case is ready to give up his claim for Graduate Trained Scale and his case may be considered for grant of 2nd A.C.P. on completion of 24 years of service.



Learned counsel for the petitioner submits that the juniors to the petitioners have been granted 2nd A.C.P. and as such the petitioner is also entitled for grant of higher pay scale.

Considering the aforesaid, the writ application is disposed of with a direction to the respondents take appropriate decision with regard to grant of 2nd A.C.P. to the petitioner. If it is found that any person junior to the petitioner has been granted the benefit of 2nd A.C.P., the petitioner may also be granted the same benefit with all consequential benefits including the pensionary benefits.

While taking decision of grant of A.C.P., the respondents may record the concession made by the petitioner that he has given up his claim for Graduate Trained Scale.

Necessary decision in this regard must be taken by the respondents within a maximum period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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